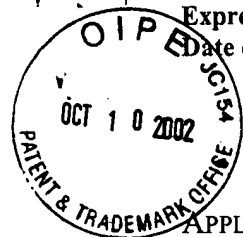


Express Mail Label No.: EV138526765US  
Date of Deposit: October 10, 2002

Attorney Docket No. 21486-032 DIV3

*Reg. for Recons. / #1*  
*J 10/23/02*



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

OCT 15 2002

APPLICANTS: Wands et al  
SERIAL NUMBER: 09/903,063 EXAMINER: Canella, Karen A.  
FILING DATE: July 11, 2001 ART UNIT: 1642  
FOR: DIAGNOSIS AND TREATMENT OF MALIGNANT NEOPLASMS

TECH CENTER 1600/290

Commissioner for Patents  
Washington, D.C. 20231

**RESPONSE TO RESTRICTION REQUIREMENT**

This communication is in response to the Restriction Requirement (Paper No. 9) mailed on September 10, 2002. Applicants thank the Examiner for the telephone meeting of October 9, 2002, in which the status of pending claims was discussed. Based on our conversation, it appears that a preliminary amendment was not entered in this case and that the pending restriction requirement was based on claims that had been canceled in the unentered preliminary amendment.

The present application was filed as a divisional application, claiming priority to parent patent application U.S. Serial No. 09/436,184 (the '184 application). The claims of the present divisional application correspond to restriction group IV of the '184 application (see Paper No. 7, mailed on October 2, 2000, in the '184 application).

The present divisional application was filed on July 11, 2001 together with a preliminary amendment cancelling claims 1-22 (corresponding to restriction groups I-III of the '184 application) and 26-38 (corresponding to restriction groups V and VI of the '184 application). New claims 39-53 was also added. A copy of the Request for Filing a Divisional Application, a copy of the Preliminary Amendment, a copy of Express Mail label, and a copy of a postcard date-stamped July 11, 2001 by the USPTO is also enclosed.

Applicants respectfully request entry of the Preliminary Amendment filed on July 11, 2001 and withdrawal of the Restriction Requirement mailed on September 10, 2002.

U.S.S.N. 09/903,063  
Applicant(s): Wands et al.

No fee is believed to be due in connection with this response; however, the Commissioner is hereby authorized to charge any fee that may be due to Deposit Account No. 50-0311 (Reference No. 21486-032 DIV 3).

Respectfully submitted,



---

Ingrid Beattie 42,306  
Attorneys for Applicants  
c/o MINTZ, LEVIN, COHN, FERRIS,  
GLOVSKY & POPEO, P.C.  
One Financial Center  
Boston, Massachusetts 02111  
Tel: (617) 542-6000  
Fax: (617) 542-2241

TRA 1721023v1